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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/680,924
Filing Date	October 8, 2003
First Named Inventor	Kevin T. Stone
Art Unit	3738
Examiner Name	Bruce E. Snow
Total Number of Pages in This Submission	
Attorney Docket Number	5490-000346

ENCLOSURES ***(check all that apply)***

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

  Response to Restriction Requirement Under 35 U.S.C. §121; and postcard.

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name R.W. Warner / C.A. Eusebi	Reg. No. 38,043 / 44,672
Signature			
Date	February 10, 2006		

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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EV 717 343 975 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/680,924
Filing Date:	October 8, 2003
Applicant:	Kevin T. Stone
Group Art Unit:	3738
Examiner:	Bruce E. Snow
Title:	SHOULDER IMPLANT ASSEMBLY
Attorney Docket:	5490-000346

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Sir:

In response to the Restriction Requirement mailed January 10, 2006, Applicant provisionally elects Species 2 (Claims 1-10 and 21-28) of Group 1, without traverse

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.